SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY
WRIT PETITION NO. 11084 OF 2006

BETWEEN

A.P.Pollution Control Board,
Hyderabad

.....Petitioner

And

M/s Chimanlal Silk Mills Pvt. Ltd.,
Kattedan & others.

.....Respondents

Counsel for the petitioner : Shri S.V. Bhatt

Counsel for respondent No.1 : Shri C.V. Rudra Prasad

Dated: 13.10.2006

:: O R D E R ::

Per G.S. SINGHVI, CJ

In this petition filed under Article 226 of the Constitution of India, Andhra Pradesh Pollution Control Board has questioned the legality of order dated 16.05.2006 passed by the Appellate Authority constituted under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981, insofar as it allowed respondent No.1 to operate the industry for a period of three months.

Learned counsel for the parties agree that the issue raised in this writ petition is identical to the one raised in W.P.No.11208 of 2006 decided on 30.06.2006.

In view of the statement made by the learned counsel for the parties, the writ petition is disposed of in terms of the order passed in Writ Petition No.11208 of 2006.

However, it is made clear that this order shall not, in any manner, affect the right of respondent No.1 to seek consent from the Board to operate the industry and also challenge closure order dated 27.02.2006 passed by the Board as also the substantive part of the appellate order dated 16.05.2006 passed by the Appellate Authority.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

13.10.2006
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